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## LAW OFFICES OF LOUIS E. GITOMER

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December 29, 2009

Cynthia T. Brown Chief of the Section of Administration, Office of Proceedings Surface Transportation Board 395 F. Street, S.W. Washington, D. C. 20423

ENTERED
Office of Proceedings

DEC 29 2009

Part of Public Record

RE: Docket No. AB-55 (Sub-No. 698X), CSX Transportation, Inc.— Discontinuance of Service Exemption—in Clark, Floyd, Lawrence, Orange, and Washington Counties, IN

Dear Ms. Brown:

Enclosed for efiling is a copy of the verification of the publication of notice in The Paoli Republican on December 15, 2009; the Times-Mail on December 17, 2009; The Evening News on December 18, 2009; and The Tribune on December 18, 2009.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours

Leggis E. Gitomer

Attorney for: CSX Transportation, Inc.

**Enclosures** 

#### CSX TRANSPORTATION

for chvironmental condi-tions also can be filed with the Board. An original and 10 copies of any pleading that raises matters other

than environmental issues (such as offers of financial

(such as offers of Inuncial assistance) must be filed darectly with the Bourd's Section of Administration, Office of Proceedings, 305 E. Street, SW, Washington, DC. 20423-0001 (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicants representative (See 49 CFR 1104.12(a)). Questions regarding offers of funencial assistance, public use or trails use may be

lle use or trails use may be directed to the Board's Of-fice of Public Assistance, Governmental Affairs, and

Compliance. at 202-245-0233. Copies of uny comments or requests

for conditions should be served on the applicant's

representative Louis E. Gitomen, Law Offices of Louis E. Gitomen, GOO Baltimore Avenue, Suite 301, 'Towson, MD 21201, (410) 296-2250,

Lou\_Gitomer@verizon net.

Notice of Intent

Notice of Intent To Discontinue Rail Service CSX Transportation, Inc gives notice that on or about December 18, 2009 it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from peuton for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10003, et seq., permitting the discontinuance of service on a 622-mile, line of railroad between-railroad milepust 00Q 251.7.4 near Bedford which traverses through United States Pustal Service 2IP Code 47150, 47167, 47108, 47481, 47165, 47464, and 47421, and ruilroad milepost 00Q 314, near New Altony in Clark, Floyd, Lawrence, Orange and Washington Counties, IN. The proceeding has been docketed as No AB-55 (Sub-No, 008X).

been docketed as No AB-55 (Sub-No, 0.08X). The Board's Section of Environmental ("SEA") will generally prepare an Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the polition for abandonment exemption Comments on environmental and environmental environmental and energy matters should be filed no matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision, interested, persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0295, Appropriate offers of financial assistance to continue fall service, can be filed with the Board. Requests

TIMES-MAIL BEDFORD, INDIANA

#### PROOF OF PUBLICATION

State of Indiana

County of Lawrence

The undersigned, being duly sworn on oath, says that he/she is Public Notice Clerk of Times-Mail a public newspaper of general circulation, printed in the town of Bedford, in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

12/17/09

Subscribed and sworn to before me December 17, 2009

lotary Public or Clerk

My Commission expires:

Publication Fee:

\$103.40

e of Sit choos Multiple Frie Good State of the area Morgan County My Commisco Expires 31 027 315 English to the second of the second

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#### Proof of **Publication**

NOTICE OF Intent To Discontinue Reli Service CSX Transportation, Inc. gives notice that on or about December 18, 2009 it intends to file with the Sur-tace Transportation Board. Washington, DC 20423, a petition for exemption under 49, U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the discontinu-ance of service on a 62.3mile line of railroad belween railroad inlicipost wash rainroad mispuss OOQ 251.7, near Bedford which traverses through United States Postal Serv-ice ZIP Codes 47150, 47172, 47108, 47143, 471452 47167 47108 47165, 47167, 47108, 47452, 47448, and railroad milepost 000 314, near New Albany in Clark, Floyd, Lawrence, Or-ange, and Washington Counties, IN. The proceeding has been docketed as No. AB-55 (Sub-No.698X). The Board's Section of En-vironmental Analysis vironmental Analysis
("SEA") will generally prepare an Environmental Assessment ("EA"), which will
normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be ad-dressed in a Board deciinterested persons may obtain a copy of the EA or make inquiries regarding environmental mat-ters by writing to SEA, Sur-face Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environ-mental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Pro-ceedings, 395 E Street, SW, Washington, DC 20423-0001 [ See 49 CFR 1104 1(a) and 1104.3(a)], and one copy must be served on applicant's representative [. See 49 CFR; 1104.12(a)]. Questions re-garding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compli-ance at 202-245-0233. Copies of any comments or requests for conditions should be served on the apSTATE OF INDIANA **COUNTY OF CLARK - SS** 

Melissa Tolnay On oath says that she is the bookkeeper of The Evening News and in the employ of the publisher of

## THE EVENING NEWS.

a daily newspaper of general circulation printed and published in the city of leffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for #( time(s) to-wit: In issue of said The Evening News December 18 dated:

STATE OF INDIANA

COUNTY OF CLARK

subscribed and sworn to before me this 2/38 day of <u>December</u>, 2009.

Notary Public, Clark County, Indiana (My Commission Expires August 27, 2014.)

Pu ces of Louis E. Gitomer, Law Offices of Louis E. Gitomer, Suffe 301, Towson, MD / 21204, (410) 296-2250, Lou Gitomer everizon.net.

## Proof of Publication

NOTICE OF Intent To Distribution and Service.

CSX 'Transportation, 'individual of the control o

pelition for exemption under seritative | See 49 CFR 49 U.S.C. 10502 from the 1104,12(s). Questions reprior approval requirements garding; offers of financial of 49 U.S.C. 10903, et seq. essistance; public use or merrition. The ritiations riebnu ncoquako rot noille permitting the discontinua trails use may be directed ance of service on a 62.3- to the Board's Office of mile line of rational behavear mental Affairs, and Compileros mental of traverses through Copies of any comments or United States Postel-Serv. (equests for conditions ice. 2IP. Codes. 47.160, Should be served on the above 17.165, 47.167, 47.108, Louis E. Giltomer, Law Offi-47.165, 47.167, 47.108, Louis E. Giltomer, Law Offi-47.167, 47.108, Louis E. Giltomer, Law Offi-47.108, Louis E. Gilt mile line of railroad be- Public Assistance, Governing has been docketed as No AB-55 (Sub-No.698X). The Board's Section of Environmental Analysis ("SEA") will generally pre-pare an Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the petition for abandonment exemption Comments on environmental and energy matters should be filled no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries re-garding environmental mat-ters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-Appropriate offers of finan-cial assistance to continue rail service can be filed with the Board. Requests for en-vironmental conditions also can be filed with the Board. An original and 10 copies of any pleading that raises

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the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [ See 49 CFR

1104.1(a) and 1104.3(a)], and one copy must be served on applicant's repre-

# STATE OF INDIANA COUNTY OF FLOYD - SS

Melissa, Tolnay On oath says that she is the bookkeeper of The Tribune and in the employ of the publisher of

#### THE TRIBUNE,

a daily newspaper of general circulation printed and published in the city of New Albany, Floyd County, State of Indiana, and further says that the annexed advertisement was published in said paper for #( ) time(s) to-wit: In issue of said Tribune dated:

| December /8 \_\_\_\_\_\_\_, 2009.

(x) Deleosa Dolnay

# STATE OF INDIANA COUNTY OF FLOYD

subscribed and sworn to before me this 2/37 day of December, 2009.

(X) Half-

Notary Public, Floyd County, Indiana (My Commission Expires August 27, 2014)

Publication

Fee \$ <u>74.71</u> 06522632

Prescribed by State Board of Accounts	General Form No. 99P (Revised 2009A)
Louis E. Gitomer	To: The Paoli Republican 131 N.W. Court St., Paoli, IN 47454 1-35-12001964 (59002)
Orange County, Indiana PUBLISHER'S CL	AIM
LINE COUNT	•
Display Matter (Must not exceed two actual lines total more than four solid lines of type in which tement is set) number of equivalent lines	the body of the advertise-
Total number of lines in notice	
COMPUTATION OF CHARGES	
64 lines, one columns wide equals 64 equivalents for line	\$ 26,05 abular work (50 percent \$ 0
TOTAL AMOUNT OF CLAIM	
DATA FOR COMPUTING COST  Width of column picas1  Number of insertions1_  Size of type7 point	

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Pursuant to the provisions and penaltics of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper \_\_1\_\_ time(s). The dates of the publication(s) being as follows:

	Dec. 15, 2009
	Additionally, the statement checked below is true and correct:
	Newspaper does not have a Web site.
	x Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
	Newspaper has a Website, but due to technical problem or error, public notice was
First 1965 IN Charles Walled Area	posted on
and the second sentent with the	posted on Newspaper has a Web site but refuses to post the public notice.

Notice of Intent To Discontinue Rail Service Transportation Board, Washington, DO 1 remmental malters by writing to SEA, 20423, a potition for exemption under 48 U.S.C. 10502 from the prior approval requirements of 48 U.S.C. 10603, of seq. permitting the discontinuency of sorvice on 8.62.5-inite line, of resirrond before the continue rall sorvice can be filed with fairroad milepost 000, 251.7 near Bedford which traverses through United States Posini Service, 217 Codes 47180, 47106, 47143, 47165, 47165, 47166, 47167, 47108, 47465, 3ind, 4721, and railroad milepost 000, 314, man Now railroad milepost 00Q 314, hear New Albany in Clark, Floyd, Lawtence, Orange, and Washington Counties, IN. The proceeding has been docketed as No. AB-55 (Sub-No.698X)

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Children W. Houselow ARTHUR HAMPTON, Publisher

DUNIAN CIIND, VL EBUGA Governmental Affairs, and Compliance at 202-245-0233. Copies of any comments or requests for conditions should be served on the applicant's representative Louis E. Gitomer, Law Offices of-Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, '(410)296-2250, Lou\_Gitomer@verizon.